

*IPW*  
PATENT



Atty. Docket No. 1135-5 PCT US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Vladimir Stoy, et al.

Examiner: ---

Serial No.: 10/541,635

Group Art Unit: ----

International Filed: September 12, 2003

Dated: December 20, 2007

Title: IMPLANT MANIPULATION  
AND STORAGE TOOLS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF  
ABANDONMENT UNDER 37 CFR §1.8 (b)

Sir:

Applicants respectfully petition that the holding of abandonment of the above referenced application be withdrawn and that the application be revived. The Notification of Abandonment mailed November 23, 2007 was received by applicants' attorney on November 27, 2007. The Notification states that, "Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed March 3, 2006 within the time period set therein". Since this Petition is being submitted within a month of receipt of the Notification of Abandonment by Applicants, it is respectfully submitted that the Petition is timely.

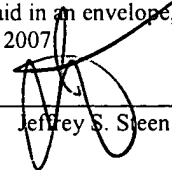
As corroborated by the enclosed Statement Under 35 C.F.R. §1.8(b) (3), applicants did, in fact, submit a timely response to Form PCT/DO/EO/905 on March 23, 2006. The following documents 1) a "Response to Notification of Missing Requirements Under 35 USC 371 in the

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence and any documents referred to as enclosed herewith are being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2007.

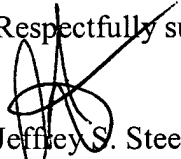
Dated: December 20, 2007

  
\_\_\_\_\_  
Jeffrey S. Steen

United States Designated/Elected Office (DO/EO/US)", 2) a copy of the Notification, 3) four (4) executed Declarations, and 5) a self-addressed postcard, were all submitted to the U.S. Patent and Trademark Office under a Certificate of Mailing Under 35 C.F.R. §1.8 (a). Copies of the foregoing items are enclosed herewith. In view of the foregoing, it is respectfully submitted that applicants timely responded to the Notification and withdrawal of the holding of abandonment is respectfully requested.

Applicants believe that no fees are required by this Petition. In the event that certain fees are required to revive the above-referenced application, please treat this Petition as a Petition to Revive Under the appropriate C.F.R. section and charge the suitable petition fee to our Deposit Account No. 50-2140. TWO COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

  
Jeffrey S. Steen  
Reg. No. 32,063  
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL &  
SCHMIDT, LLP  
445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Tel (631) 501-5700  
Fax (631) 501-3526

JSS:mpl

PATENT

Atty. Docket No. 1135-5 PCT US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Vladimir Stoy, et al.

Examiner: ---

Serial No.: 10/541,635

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Title: IMPLANT MANIPULATION  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR §1.8 (b) (3)

Sir:

I Jeffrey S. Steen, hereby declare that,

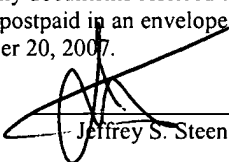
1. I am the attorney for applicants in the above-referenced application.
2. I personally prepared the "Response to Notification of Missing Requirements, Under 35 U.S.C. 371 in the United States Designation/Elected Office (DO/EO/US) (hereinafter referred to as the "Response") which was filed with the U.S. Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 23, 2006.
3. I personally signed the Certificate of Mailing Under 37 C.F.R. §1.8(a) which was associated with the Response.

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence and any documents referred to as enclosed herewith are being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 20, 2007.

Dated: December 20, 2007

  
\_\_\_\_\_  
Jeffrey S. Steen

4. It is my regular business practice to review the contents of all mail sent to the U.S. Patent and Trademark Office that I have personally prepared just prior to sealing the envelope in which such mail is contained.

5. I specifically remember reviewing the contents of the envelope containing the Response prior to sealing the envelope because inclusion of four (4) Declarations was unusual in my practice.

6. The following documents were enclosed in the envelope with the Response:

- A. Response to Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US);
- B. Copy of Notification;
- C. Four (4) Executed Declarations
- D. Certificate of Mailing.

7. A true and accurate copy of the items listed in paragraph 6 above is enclosed herewith along with applicants' Petition to Withdraw Holding of Abandonment Under 37 C.F.R. §1.8 (b).

8. As a partner in the law firm of Carter, Deluca, Farrell & Schmidt LLP, I am aware of the firm's normal business practice and procedures for mailing documents to the U.S. Patent and Trademark Office.

9. When correspondence is mailed to the U.S. Patent and Trademark Office pursuant to a Certificate of Mailing Under 37 C.F.R. §1.8(a), the following procedures are followed:

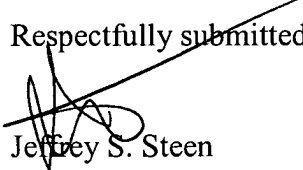
- A) when the envelope containing the correspondence is sealed, it is brought to the firm's mail room and deposited in the outgoing mail box, B) the firm's receptionist retrieves all mail in the outgoing mail box, C) the receptionist brings the mail to the US Postal drop located in the building which houses the firm's office, and D) deposits the mail in the US Mail Postal drop.

10. On March 23, 2006, the envelope containing the Response and related papers was placed into the firm's mail system in accordance with the procedure indicated in paragraph 9, above. Four other envelopes containing correspondence directed to the U.S Patent and Trademark Office were also deposited into the firm's mail system that day.

11. The four other envelopes referred to in paragraph 10, above, were received by the U.S. Patent and Trademark Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
Jeffrey S. Steen  
Reg. No. 32,063  
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL &  
SCHMIDT, LLP  
445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Tel (631) 501-5700  
Fax (631) 501-3526

JSS:mpl

**PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:**

1. Response to Notification of Missing Requirements Under 35 USC 371  
in the United States Designated/Elected Office (DO/EO/US)
2. Copy of Notification
3. **Four (4) Executed Declarations**
4. Certificate of Mailing

Applicants: Vladimir Stoy, et al.  
Serial No.: 10/541,635  
Filing Date: July 5, 2005  
Docket: 1135-5 PCT US  
Dated: March 23, 2006

JSS/mpl



PATENT

Atty. Docket No. 1135-5 PCT US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Vladimir Stoy, et al.

Examiner: ----

Serial No.: 10/541,635

Group Art Unit: ----

Filed: July 5, 2005

Dated: March 23, 2006

Title: IMPLANT MANIPULATION  
AND STORAGE TOOLS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Missing Parts

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C.371 In  
The United States Designated/Elected Office (DO/EO/US), dated March 3, 2006, Applicants  
enclose herewith four (4) properly executed Declarations containing the signatures of all six (6)  
inventors in compliance with 37 C.F.R. §1.497(a) and (b).

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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

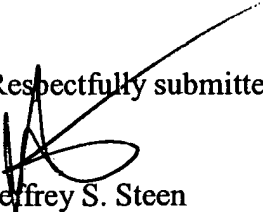
I hereby certify that this correspondence and any documents referred to as enclosed herewith are being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 23, 2006.

Dated: March 23, 2006

  
\_\_\_\_\_  
Jeffrey S. Steen

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

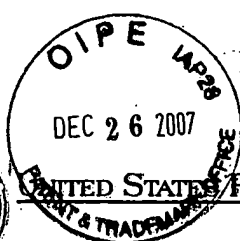
Respectfully submitted,

  
Jeffrey S. Steen  
Reg. No. 32,063  
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL &  
SCHMIDT, LLP  
445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Tel (631) 501-5700  
Fax (631) 501-3526

JSS:mpl





UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,635	Vladimir Stoy	1135-5 PCT-US

INTERNATIONAL APPLICATION NO.
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PCT/US03/28878

I.A. FILING DATE	PRIORITY DATE
09/12/2003	08/05/2002

31554

CARTER, DELUCA, FARRELL & SCHMIDT, LLP  
445 BROAD HOLLOW ROAD  
SUITE 225  
MELVILLE, NY 11747

CONFIRMATION NO. 3405

371 FORMALITIES LETTER



\*OC000000018182150\*

Date Mailed: 03/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/05/2005
- Copy of the International Search Report filed on 07/05/2005
- Small Entity Statement filed on 07/05/2005
- Request for Immediate Examination filed on 07/05/2005
- U.S. Basic National Fees filed on 07/05/2005
- Assignment filed on 07/05/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,635	PCT/US03/28878	1135-5 PCT-US

FORM PCT/DO/EO/905 (371 Formalities Notice)